

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

THE HANOVER INSURANCE COMPANY, a) Case No. 2:11-cv-000470-GMN-RJJ
New Hampshire corporation,)

Plaintiff,)

v.)

**ORDER ISSUING TEMPORARY
RESTRAINING ORDER**

VAZZANA UNDERGROUND)
CONSTRUCTION INC., a California)
corporation; WESTERN STATES FIRE)
PROTECTION COMPANY d/b/a STATEWIDE)
FIRE PROTECTION, a Minnesota corporation;)
SELECT BUILD NEVADA, INC., a Delaware)
corporation; FREHNER MASONRY, INC., a)
Nevada corporation; THE TIBERTI COMPANY,)
a Nevada partnership; S.B.A. DEVELOPMENT,)
INC. d/b/a ROYAL CONSTRUCTION)
COMPANY, a Nevada corporation; and)
SPINNAKER HOMES VII, LLC, a Nevada)
limited liability company,)

Defendants.)

The Court having examined the Complaint for injunctive and other relief and the Application for Temporary Restraining Order filed herein by Plaintiff The Hanover Insurance Company (“**Hanover**”), having conducted a hearing on the matter, and good cause appearing therefor:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. That Defendants S.B.A. Development, Inc. d/b/a Royal Construction (“**SBA**”) and Spinnaker Homes VII, LLC (“**Spinnaker**”) (collectively “**Indemnitor Defendants**”) are hereby

1 enjoined and restrained from liening, dissipating, selling, transferring, disposing of, securing,
2 secreting, or otherwise diverting any assets and property, including realty, personal and mixed, owned
3 by Defendants, and property in which they have an interest. Such restrictions shall remain in effect
4 during the pendency of this Temporary Restraining Order.

5 2. Hanover is granted a lien in the amount of \$75,000.00 upon all assets and property of
6 Defendants and property in which they have an interest. Such lien shall secure Hanover against any
7 loss that it has or may sustain or incur by virtue of having executed the License Bond on behalf of
8 SBA. Such liens shall remain in effect during the pendency of this Temporary Restraining Order.

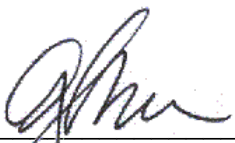
9 3. Defendants are ordered to immediately and continuously provide Hanover with
10 information, access to, and copies of all requested books, records, computer data and files, accounts
11 and documents in their possession relating to the construction projects during which period Hanover's
12 Bond was in effect and relating to Defendants' assets.

13 4. This Temporary Restraining Order shall remain in effect for a period of Fourteen (14)
14 days, up to and including July 6, 2011. A hearing is set for review of this Temporary Restraining
15 Order for July 5, 2011 at 11:00 a.m. before this Court, at which time the Court may issue a Preliminary
16 Injunction extending this Order during the pendency of this matter before the Court.

17 5. Hanover shall issue a bond in the amount of Fifty Thousand Dollars and No Cents
18 (\$50,000.00) to cover costs and damages that may be incurred and suffered thereby, if it shall be
19 finally determined that the Defendants were wrongfully enjoined or restrained.

20 **IT IS SO ORDERED** this 27th day of June, 2011.

21
22
23
24
25
26
27
28



Gloria M. Navarro
United States District Judge